

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GERALD MANOWITZ, as trustee of the Annette  
Claire Manowitz revocable trust, on behalf of itself and  
all others similarly situated,

*Plaintiff,*

VS.

OPTIONABLE, INC., KEVIN CASSIDY, EDWARD J. O'CONNOR, and MARK NORDLICHT,

*Defendants.*

Case No. 07-CV-3884 (UA-GAY)

## ECF Case

**AFFIDAVIT OF RICHARD W. COHEN IN SUPPORT OF MOTION FOR AN ORDER  
PERMITTING LOWEY DANNENBERG BEMPORAD SELINGER & COHEN, P.C.  
TO WITHDRAW AS COUNSEL FOR DEFENDANT OPTIONABLE, INC.**

STATE OF NEW YORK )  
COUNTY OF WESTCHESTER )  
): ss.  
 )

RICHARD W. COHEN, being duly sworn, deposes and says:

1. On May 21, 2007 Defendant Optionable, Inc. and Lowey Dannenberg Bemporad Selinger & Cohen, P.C. ("LDBSC") entered into an agreement for LDBSC to appear for it and defend the above-captioned action.

2. On May 21, 2007 LDBSC appeared in the above-entitled actions as counsel for Defendant Optionable, Inc.

3. On May 24, 2007 the Court scheduled an initial pretrial conference to be held on June 18, 2007, in the absence of an agreed scheduling agreement.

4. On May 29, 2007, Defendant Optionable, Inc. informed LDBSC that despite its complete satisfaction with LDBSC's services, it had hired another law firm to defend it in the

above-entitled actions, and asked LDBSC to withdraw as counsel.

5. Accordingly, LDBSC makes this motion to withdraw as counsel for Optionable, Inc.

Dated: White Plains, New York  
May 31, 2007

  
Richard W. Cohen

Sworn to before me on  
this 31 day of May, 2007

  
NOTARY PUBLIC

SYLVIA HOFFMANN  
Notary Public, State of New York  
No. 01HO4804554  
Qualified in Queens County  
Commission Expires 5/31/2010